

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

QXMEDICAL, LLC,

Case No. 17-cv-1969 (LMP/TNL)

Plaintiff and
Counterclaim-Defendant,

v.

**ORDER VACATING FINAL
JUDGMENT**

VASCULAR SOLUTIONS LLC,
TELEFLEX LIFE SCIENCES LLC,
ARROW INTERNATIONAL LLC,
and TELEFLEX LLC,

Defendants and
Counterclaim-Plaintiffs.

Before the Court is the parties' joint Motion for Relief from Judgment under Federal Rule of Civil Procedure 60(b)(5). ECF No. 371. That Rule allows the Court to relieve the parties from the final judgment entered in this case on February 15, 2024, (ECF No. 353) if "the judgment . . . is based on an earlier judgment that has been reversed or vacated." Fed. R. Civ. P. 60(b)(5).

Here, the Court granted a stipulated final judgment in favor of QXMedical because a final judgment in a separate case, *Vascular Solutions LLC et al. v. Medtronic, Inc. et al.*, Case No. 19-CV-1760 (D. Minn.), barred all of Defendants' claims under the doctrine of collateral estoppel. ECF No. 351. That ruling has since been reversed and vacated. *Vascular Solutions LLC v. Medtronic, Inc.*, 117 F.4th 1361 (Fed. Cir. 2024). Accordingly, because the final judgment in this case was based on the estoppel effect of a final judgment that has since been vacated, Rule 60(b)(5) applies. See *Lowry Dev., L.L.C. v. Groves &*

Assocs. Ins., Inc., 690 F.3d 382, 386 (5th Cir. 2012) (“A decision is based on a prior judgment when it is a necessary element of the decision, giving rise, for example, to the cause of action or a successful defense.”” (quoting *Flowers v. S. Reg'l Physician Servs. Inc.*, 286 F.3d 798, 800 (5th Cir. 2002)); *Wogoman v. Abramajtys*, 243 F.App'x 885, 888 (6th Cir. June 19, 2007) (“Rule 60(b)(5) . . . is limited to a judgment based on a prior judgment reversed or otherwise vacated-based in the sense of res judicata, or collateral estoppel, or somehow part of the same proceeding.””).

Accordingly, **IT IS HEREBY ORDERED** that the Final Judgment (ECF No. 353) is VACATED, pursuant to Fed. R. Civ. P. 60(b)(5).

Dated: December 18, 2024

s/ Laura M. Provinzino
Laura M. Provinzino
United States District Judge